IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

and

IN ITS GENERAL AND INHERENT JURISDICTION

F.A.PETITION NO. 201 OF 2004

In the matter of Guardians and Wards Act, 1890;

and

In the matter of appointment of guardian of person of a female minor Reshma Laxman Patil.

Mr Robert Bray and Mrs Caroline Morgan .. Petitioners

..

Mr.Ganesh Rao i/b Mr.Ganesh & Co for Petitioners

..

CORAM: S.U.KAMDAR, J.

DATED: 23rd December, 2004

P.C.

1. I have perused the records. I have perused the documents. Learned counsel for the petitioners files N.O.C dated 16th December, 2004 issued by C.A.R.E. New Delhi and also files a fresh certificate of V.C.O.A. Mumbai dated 14th December, 2004 giving no objection and granting clearance for the aforesaid adoption. I have interviewed the parents who seeks to adopt the minor child. I have also interviewed the representative of Shraddhanand Mahilashram.

2. I have perused the records of the case particularly the financial position of the adopting parents. The child in the present case is a destitute and was in the custody of the Juvenile Welfare Board before her custody is handed over to Shraddhanand Mahilaashram. The present adopting parents have already got their own children who are above the age of 13 years. In the aforesaid circumstances, I do not see any reason not to grant the petition.

3. In view thereof, I make the petition absolute in terms of prayer clauses (a) and (b) with a further direction that the adopting parents to submit a report on the child's welfare social, medical and educational at every three months to the Shraddanand Mahilashram who in turn would file a report to the court.

4. Petition is made absolute accordingly. However, there shall be no order as to costs.

S.U.KAMDAR, J

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

LEAVE PETITION NO. 793 OF 2004

IN

PROPOSED SUIT NO. OF 2004

Indian Bank .. Petitioner

vs

Dhruvraj Murthy Naik, Prop. of .. Defendants
M/s Supriya Cons. Co & ors

..

Mr.Ganesh Rao i/b Ganesh & Co for Petitioner

..

CORAM : S.U.KAMDAR, J

DATE: 23rd December, 2004.

P.C.

1. Present suit is filed on the basis of a Deed of Mortgage executed in respect of the properties which are situated at Karnataka. Paragraph no. 18

of the plaint states that in view of the fact that mortgaged property is situated at Karnataka, leave is sought under clause 12. The property is situated outside the territorial jurisdiction of the court. Under clause 12, Letters Patent Appeal must be filed where the property is situated.

2. Leave is rejected.

S.U.KAMDAR, J